

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

V.

Criminal No. 04-10367-DPW

ADAM STUPAK,

Defendant.

MOTION TO FURTHER CONTINUE SENTENCING
(Assented To)

Now comes the United States of America, by and through its attorney, Michael J. Sullivan, and requests the Court to continue the sentencing of the defendant, Adam Stupak, in this case from September 15, 2005 until a date on or after January 15, 2006, for the following reasons:

1. The defendant, Adam Stupak, has entered into a Plea Agreement with the government which requires him to, among other things, cooperate fully with law enforcement agents and government attorneys, and requires that he testify truthfully and completely before any grand jury, and at any hearing and trial in this and any related cases. The defendant's cooperation is not yet complete.

2. In his Plea Agreement the defendant waived any rights he may have to prompt sentencing and agreed to join in any requests by the U.S. Attorney that sentencing be postponed until Defendant's cooperation is complete, in order to enable the Court to have the benefit of all relevant sentencing information. All relevant sentencing information is not yet available and is not expected to be available until --at the earliest-- January 15,

2006. Therefore, the government requests that sentencing in this case be continued until a date on or after January 15, 2006.

3. The parties have conferred pursuant to L. R. 7.1. Defendant's counsel assents to this motion.

Wherefore, the United States requests the Court to further continue sentencing in this case from September 15, 2005 until a date on or after January 15, 2006.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Mary Elizabeth Carmody

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CERTIFICATION PURSUANT TO L. R. 7.1 (A)(3)

I hereby certify that on August 3, 2005, I conferred with the office of the attorney of record for the defendant by telephone to confer regarding the issues presented in this motion. Counsel for the defendant assented to this motion.

/s/ Mary Elizabeth Carmody

MARY ELIZABETH CARMODY

CERTIFICATE OF SERVICE

I hereby certify that on a true copy of the above document was served upon the attorney of record for each other party by mail on August 3, 2005.

/s/ Mary Elizabeth Carmody

MARY ELIZABETH CARMODY
Assistant U.S. Attorney